

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

TONY CHILDS

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:08CV77-P-A

**ENTERGY MISSISSIPPI, INC., AND
ENTERGY CORPORATION**

DEFENDANT

ORDER

This cause is before the Court on defendant Entergy Mississippi, Inc.'s Motion for Summary Judgment [118]. The Court, having reviewed the motion, the response, the authorities cited and being otherwise fully advised in the premises, finds as follows, to-wit:

In an Order entered contemporaneously herewith, the Court granted defendant's motion to exclude plaintiff's sole liability expert, Billy Seward. Absent his testimony, plaintiff has no admissible evidence of the applicable standard of care or of Entergy Mississippi's alleged breach thereof. The defendants' motion is well-taken and should be sustained for the reasons articulated therein.

IT IS, THEREFORE, ORDERED AND ADJUDGED that defendant Entergy Mississippi's Motion for Summary Judgment [118] is well-taken and should be, and hereby is, GRANTED.

SO ORDERED, this the 13th day of August, 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE